

**REMARKS**

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 2-8 and 10-11 are pending in the present application, with claims 3, 4, and 10 being independent. Claims 1, 9, and 12-14 have been canceled by this amendment without prejudice or disclaimer to the subject matter contained therein.

***Allowable Subject Matter***

Applicants note with appreciation the Examiner's indication on page 5 of the Office Action that claims 3-8 and 10-11 are allowed. Because Applicants, as noted above, have cancelled claims 1, 9, and 12-14, the present application is in condition for allowance. Therefore, Applicants respectfully request that the Examiner further the application to issue.

***Claim Rejections***

The Examiner rejected: claims 13-14 under 35 U.S.C. §102(e) as being anticipated by Kanno et al. (US 6,434,266); and claims 1-2 (Applicants note that the Examiner also appears to reject claims 9 and 12) under 35 U.S.C. §103(a) as being unpatentable over Kagawa et al. (US 5,917,959) in view of Sato et al. (US 5,930,009). These rejections are respectfully traversed.

Claims 1, 9, and 12-14 have been cancelled and therefore, the rejection against those claims are now rendered moot.

Claim 2 is dependent on claim 3, which, as noted above, the Examiner indicated as being allowed. Therefore, claim 2 should also be considered allowed.

Accordingly, withdrawal of the rejection is respectfully requested.

Lastly, claims 10 and 11 have been amended in an effort to correct a minor typographical error that occurred. Specifically, the amendments that are being made to claim 10 and 11 corrects "α" and "β" as originally filed. Further, these amendments do not alter the scope of the claims.

### **Conclusion**

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. No. 51,011) at the telephone number below, which is located in the Washington, DC area.

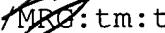
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Michael K. Mutter, Reg. No. 29,680

  
MKM/MRG:tm:trb  
1190-0479P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000